SENATE CONCURRENT RESOLUTION

RECOGNIZING THE HISTORIC SUCCESS OF COMMUNITY STEWARDSHIP UNDER THE TRADITIONAL KONOHIKI FISHING RIGHTS SYSTEM IN SUSTAINING AN ABUNDANT NEARSHORE ENVIRONMENT AND A THRIVING POPULATION AND CULTURE, AND URGING THE STATE TO SUPPORT THE DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF CULTURALLY-GROUNDED, COMMUNITY-DRIVEN FISHERIES MANAGEMENT PROPOSALS TO STEWARD, RESTORE, AND PERPETUATE OUR NEARSHORE RESOURCES AND MAINTAIN AND PROTECT ASSOCIATED CULTURAL TRADITIONS AND VALUES.

WHEREAS, traditional Native Hawaiian resource management has been long-renowned for sustainably supporting a thriving population of up to a million inhabitants in the Hawaiian islands, prior to documented Western contact; and

WHEREAS, traditional ocean tenure played a key role in Native Hawaiian communities' ability to sustain themselves both physically and spiritually, notwithstanding the inherently limited land resources of an island setting; and

WHEREAS, the success of traditional resource management relied on ahupuaa tenants' intimate connection to and knowledge of their place, including their nearshore waters and ecosystems, as well as on the oversight of alii and their regional resource managers, or konohiki; and

WHEREAS, the first written laws of the Kingdom of Hawaii sought to reflect the traditional system of ocean tenure and stewardship, providing tenants and konohiki with exclusive rights of access to their nearshore ahupuaa waters; and

WHEREAS, these laws established what came to be known as konohiki fishing rights, and allowed Native Hawaiian tenants and konohiki to continue stewarding the nearshore resources they had known and depended upon for generations; and

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WHEREAS, legal interpretations of konohiki fishing rights slowly eroded the authority of tenants and konohiki to manage their nearshore resources throughout the nineteenth century; and

WHEREAS, the illegal overthrow of the Hawaiian Monarchy set the stage for the subsequent annexation of Hawaii to the United States, which occurred without the consent of the Hawaiian people; and

WHEREAS, the Organic Act establishing Hawaii as a Territory of the United States sought to abolish konohiki fishing rights, declaring the waters of Hawaii as "free to all citizens of the United States, subject . . . to vested rights" registered in accordance with that Act; and

WHEREAS, the Territory's subsequent actions led to all but a handful of konohiki fishing rights to be condemned or declared abandoned by Statehood, removing a critical layer of protection for many nearshore fisheries relied upon by ahupua'a tenants since time immemorial; and

WHEREAS, the abolishment of konohiki fishing rights thus facilitated the degradation and depletion of fisheries throughout the islands, undermining the ability of many Native Hawaiians to maintain their cultural and subsistence ways of life, their connection to their communities and places, and their cultural identity; and

WHEREAS, for decades, the State of Hawaii has struggled to adequately manage our nearshore marine resources, and thereby protect the cultural practices and lifestyles that rely upon these resources; and

WHEREAS, the continued degradation and depletion of our nearshore fisheries also undermine our islands' food security and resilience to climate change, as well as the economic, recreational, and ecological interests of Hawaii's residents generally; and

WHEREAS, notwithstanding the abolishment of the konohiki fishing rights system, a number of rural, kipuka communities continue to maintain an intimate understanding of and connection
to their nearshore areas, and carry on the community-driven
stewardship practices and harvesting traditions that konohiki
fishing rights once protected throughout the islands; and

WHEREAS, these kipuka communities have now expressed an
interest to engage more formally with the State, in proposing
culturally-grounded and community-driven fisheries management
proposals, including community-based subsistence fishery
management area proposals, that can much more effectively
protect, maintain, and perpetuate the resources of their
nearshore waters, and ensure the continuation of cultural and
subsistence traditions, values, and lifestyles for generations
to come; and

WHEREAS, the success of such culturally-grounded,
community-driven fishery management area proposals can inspire
other communities to develop an intimate knowledge of their own
nearshore areas, and work toward the restoration of their local
resources and place-based traditions; and

WHEREAS, the broader restoration of community-based marine
resource management will improve the health of our nearshore
environment, increase the food security of our residents, and
sustain the cultural values and traditions that have long
informed our shared understandings and unique social fabric;
now, therefore,

BE IT RESOLVED by the Senate of the Twenty-ninth
Legislature of the State of Hawaii, Regular Session of 2017, the
House of Representatives concurring, that the Legislature
recognizes the historic success of community-driven stewardship
under the traditional konohiki fishing rights system in
sustaining an abundant nearshore environment and a thriving
population and culture throughout our islands; and

BE IT FURTHER RESOLVED that the Department of Land and
Natural Resources is urged to support the appropriate
development, adoption, and implementation of culturally-
grounded, community-driven fishery management proposals that
seek to apply kipuka communities’ intimate knowledge of their
nearshore waters to steward, restore, and perpetuate their
resources and maintain and protect their cultural traditions and
values; and

BE IT FURTHER RESOLVED that certified copies of this
Concurrent Resolution be transmitted to the Governor, the
Attorney General, the Chairperson of the Board of Land and
Natural Resources, and the Chairperson of the Board of Trustees
of the Office of Hawaiian Affairs.

OFFERED BY:  

By Request